ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JAVIER ENRIQUE DA SILVA,
    a/k/a "Javier Da Silva,"

          Defendant.

AFFIRMATION

19 Mag. 1458

STATE OF NEW YORK   )
COUNTY OF WESTCHESTER   : ss.:
SOUTHERN DISTRICT OF NEW YORK   )

SAMUEL ADELSBERG, under penalty of perjury, hereby affirms as follows:

1.   I am an Assistant United States Attorney in the Southern District of New York. I submit this affirmation in support of an application for a sixth order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. § 3161(h)(7)(A).

JAVIER ENRIQUE DA SILVA, a/k/a "Javier Da Silva," the defendant, was charged with violations of 18 U.S.C. § 1201 in a complaint dated February 12, 2019. The defendant was presented before Magistrate Judge Lisa Margaret Smith on February 12, 2019, and the defendant was detained.

2.   Jason Ser, Esq., attorney for the defendant, has since been engaging in preliminary discussions with the Government concerning a possible disposition of this case without trial, and those discussions are ongoing. The Government hereby requests that a continuance of 28 days be granted, during which time we may pursue further discussions.

3.   On July 22, 2019, Mr. Ser, counsel for the defendant, agreed by electronic mail on behalf of the defendant that the requested continuance of 28 days is appropriate in these circumstances.

4.   For the reasons stated above, the ends of justice served by the granting of the continuance requested outweigh the best interests of the public and defendant in a speedy trial.

5.   Pursuant to Title 28, United States Code, Section 1746, I declare under penalties of perjury that the foregoing is true and correct.

Executed on July 22, 2019.

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SAMUEL ADELSBERG
Assistant United States Attorney